

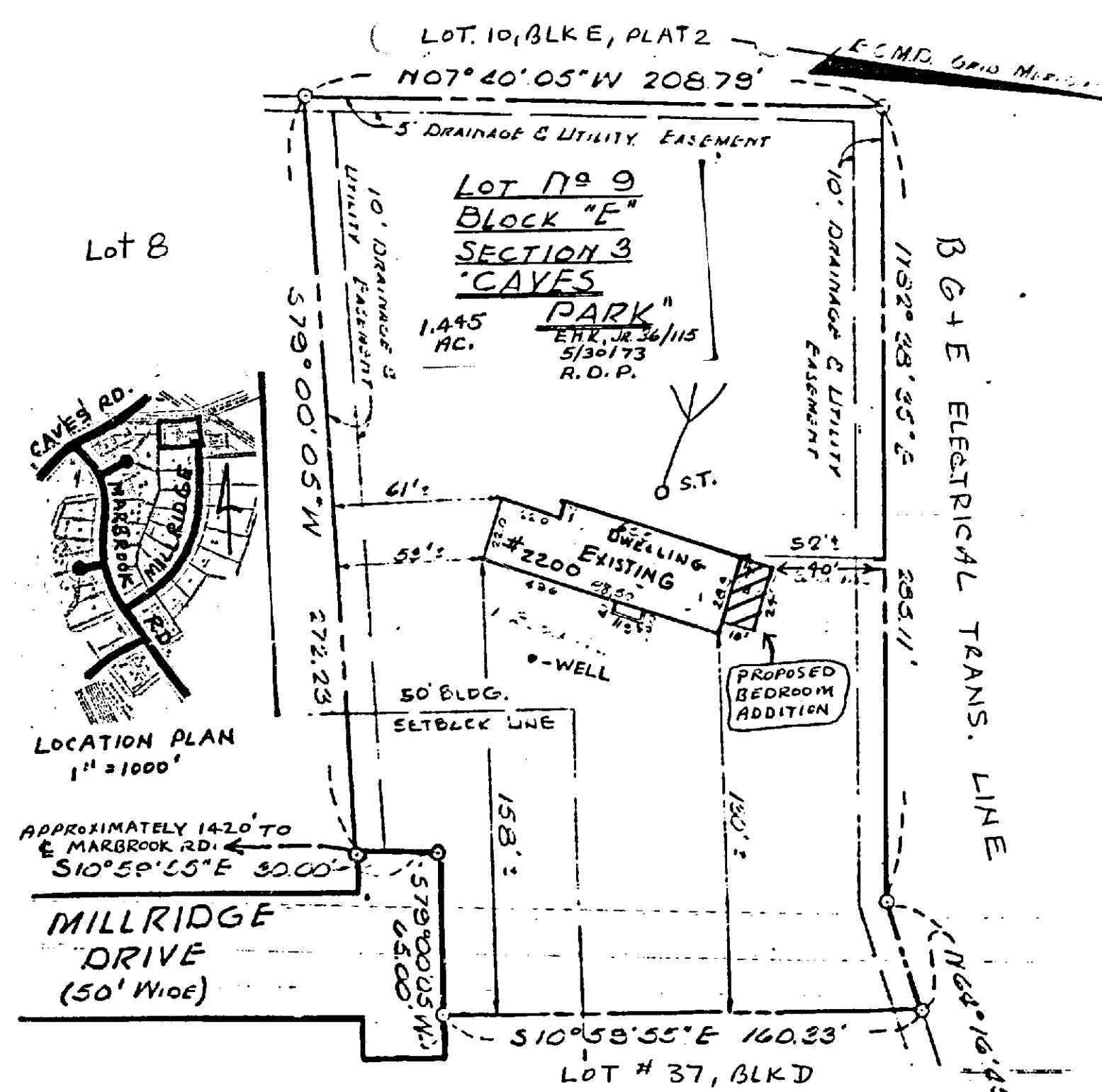
IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
Wend Millridge Drive, approx. * DEPUTY ZONING COMMISSIONER
1,420' N of the c/l of * OF BALTIMORE COUNTY
Marbrook Road *
(2200 Millridge Drive) *
3rd Election District * Case No. 88-421-A
3rd Councilmanic District *
Robert J. Yerman, et ux *
Petitioners * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a building to property line setback of 40 feet in lieu of the required 50 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants. Testimony indicated that the subject property, zoned R.C. 5, consists of 1.45 acres, plus or minus, and is located at 2200 Millridge Road. The Petitioners testified they purchased the property in 1973 and now propose constructing an addition to the existing dwelling to meet their growing family's needs. Testimony indicated that due to the location of the septic system, the addition cannot be placed in the rear of the property. Petitioners introduced pictures of the property as evidence that the variance would not adversely affect the health, safety and general welfare of the community. Further, the Petitioners indicated that they discussed the matter with the adjoining property owners who indicated they had no objection to their proposed project.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, it is the opinion of the Deputy Zoning Commissioner that the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variance should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of



PLAT FOR ZONING VARIANCE
OWNER: ROBERT J. + ELLEN M. YERMAN
DISTRICT: 3, ZONED - RC-5
EXISTING UTILITIES ON SITE (PRIVATE)
SCALE: 1"=50'

Item #278

the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, in the opinion of the Deputy Zoning Commissioner, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20th day of April, 1988 that a building to property line setback of 40 feet in lieu of the required 50 feet, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd Date of Posting: April 5, 1988
Posted for: Variance
Petitioner: Robert J. Yerman
Location of property: Wend Millridge Drive, approx. 1420' N of Marbrook Rd.
Location of Sign: My front of 2200 Millridge Drive
Remarks: See Exhibit 1
Posted by: John J. Caruso Date of return: April 12, 1988

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD., March 31, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on MARCH 31, 1988

THE JEFFERSONIAN,

Publisher

LANDMARK COMMUNITY NEWSPAP

Westminster, Md.

THIS IS TO CERTIFY that the advertisement was published for one (1) day on the 31st day of March, 1988.

- ☐ Carroll County Times, a weekly newspaper published in Westminster, Maryland.
☐ Randallstown News, a weekly newspaper published in Randallstown, Maryland.
☐ Community Times, a weekly newspaper published in Baltimore County, Maryland.

LANDMARK COMMUNITY NEWSPAP

Per John J. Caruso

Community Times, a weekly newspaper published in Baltimore County, Maryland.
LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.
Per John J. Caruso

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B (1800.3.B.3, RDP) to permit a building to property line setback of 40 ft. in lieu of the required 50 ft.

To allow an addition to existing structure which would be 40 feet from the property line.

Property is to be posted and advertised as prescribed by Zoning Regulations.

1. or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Robert J. Yerman
(Type or Print Name)
Signature: Robert J. Yerman
Address: 2200 Millridge Road
City and State: Baltimore, Md. 21202

Legal Owner(s): Robert J. Yerman
(Type or Print Name)
Signature: Robert J. Yerman
Address: 2200 Millridge Road
City and State: Baltimore, Md. 21202

Attorney for Petitioner: Robert J. Yerman
(Type or Print Name)
Signature: Robert J. Yerman
Address: 2200 Millridge Road
City and State: Baltimore, Md. 21202

Ordered By The Zoning Commissioner of Baltimore County, this 1st day of April, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-out Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of April, 1988, at 10:00 o'clock A.M.

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case numbers: 88-421-A
Wend Millridge Drive, approx. 1420' N of Marbrook Road
(2200 Millridge Drive)
3rd Election District - 3rd Councilmanic District
Petitioner(s): Robert J. Yerman, et ux
HEARING SCHEDULED: FRIDAY, APRIL 22, 1988 at 10:00 a.m.

Variance to permit a building to property line setback of 40 feet in lieu of the required 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day period. The Zoning Commissioner will, however, entertain during this period for good and sufficient reason, any request for a variance to the above.

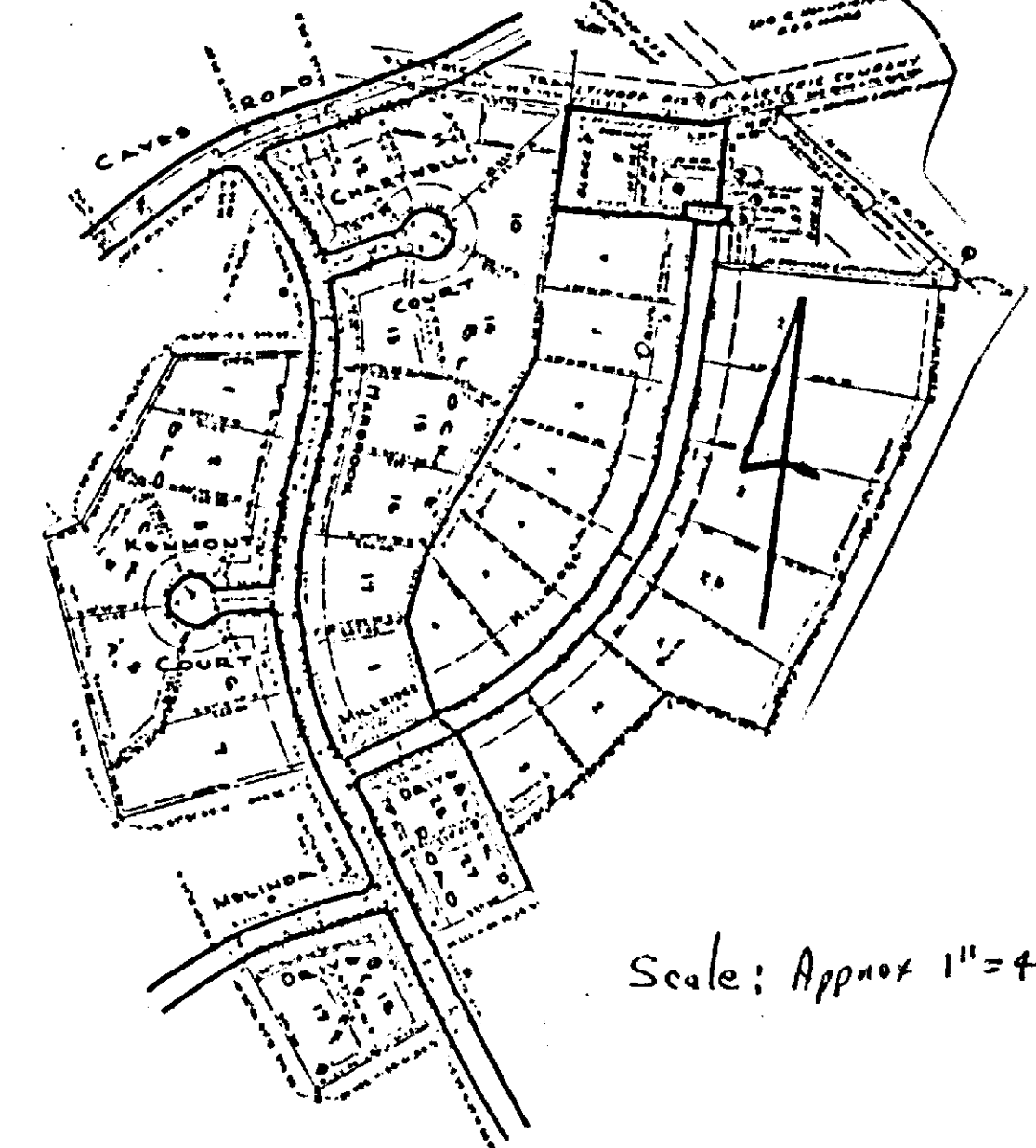
BALTIMORE COUNTY, MARYLAND No. 47532
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 4/22/88 ACCOUNT: 47532-000
AMOUNT: \$ 35.00

RECEIVED FROM: Robert J. Yerman
FOR: Item # 278

ZONING DESCRIPTION

Beginning on the WEND of Millridge Drive, approximately 1420' N. of the centerline of Marbrook Road. Being known and designated as Lot No. 9 in Block E as shown on the Plat entitled "Plat of Lot No. 9 Block E and Lot No. 37 Block D Baltimore County in Plat Book E.H.R., Jr. 36 folio 115. The improvements thereon being known as 2200 Millridge Road. Containing approximately 1.4 acres in the 3rd. election district.



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
484-3353

J. Robert Haines
Zoning Commissioner

Date: 4.12.88

Tr. & Mrs. Robert J. Yerman
2200 Millridge Road
Dwight Mills, Maryland 21117

Re: Petition for Zoning Variance
Case numbers: 88-421-A
Wend Millridge Drive, approx. 1420' N of Marbrook Road
(2200 Millridge Drive)
3rd Election District - 3rd Councilmanic District
Petitioner(s): Robert J. Yerman, et ux
HEARING SCHEDULED: FRIDAY, APRIL 22, 1988 at 10:00 a.m.

Please be advised that \$35.00 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND No. 50540
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 4/22/88 ACCOUNT: 50540-000
AMOUNT: \$ 35.00

RECEIVED FROM: Robert J. Yerman
FOR: Item # 278

88-421-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
1st day of February, 1988.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee

Petitioner: Robert J. Yerman, et ux
Petitioner's Attorney

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner

Date: March 24, 1988

FROM: P. David Fields
Director of Planning and Zoning
Zoning Petition Nos. 88-421-A,
88-420-A, 88-421-A, 88-422-A,
SUBJECT: 88-437-A, 88-438-A, 88-439-A

There are no comprehensive planning factors requiring comment on this petition.

P. David Fields per *J. Howell*
P. David Fields
Director

PDF:JGH:dme
cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

RECEIVED
MAR 24 1988
ZONING OFFICE

cc: Robert J. Yerman, et ux
4/18/88 JFS

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 15, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Robert J. Yerman, et ux
2200 Millridge Road
Owings Mills, Maryland 21117

RE: Item No. 278 - Case No. 88-421-A
Petitioner: Robert J. Yerman, et ux
Petition for Zoning Variance

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Dear Mr. Yerman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:cer
Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-5554

March 2, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 269, 270, 271, 272, 273, 275, 276, 277 and 278.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/pel-b

RECEIVED
MAR 3 1988
ZONING OFFICE

COUNCIL OF BALTIMORE COUNTY, MARYLAND

LEGISLATIVE SESSION 1988, LEGISLATIVE DAY NO. 4

RESOLUTION NO. 6-88

MR. C. A. DUTCH RUFFENBERGER, III, COUNCILMAN

BY THE COUNTY COUNCIL, FEBRUARY 16, 1988

A RESOLUTION concerning the public disclosure of Ellen Yerman, an employee of the Baltimore County Department of Aging.

WHEREAS, Robert and Ellen Yerman have filed for a zoning variance for an addition to their home in the Third Councilmanic District of Baltimore County; and

WHEREAS, this Resolution is intended to provide full disclosure under Section 22-11(e) of the Baltimore County Code and Section 1001(b) of the Baltimore County Charter.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Baltimore County, Maryland that the filing of a zoning variance by Robert and Ellen Yerman does not violate the public interest and is hereby authorized.

County Council of Baltimore County
Court House, Towson, Maryland 21204
(301) 494-3196

RECEIVED
FEB 19 1988
ZONING OFFICE

February 17, 1988

COUNCIL
Ronald B. Thackerell
FIRST DISTRICT
Melvin G. Meigs
SECOND DISTRICT
Charles A. Ruffenberger, III
THIRD DISTRICT
Barbara E. Rucker
FOURTH DISTRICT
Norman W. Lawrence
FIFTH DISTRICT
William R. Brady
SIXTH DISTRICT
Paul T. Hise
SEVENTH DISTRICT
THOMAS T. JORDAN
EIGHTH DISTRICT

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

Attached please find Resolution 6-88 concerning the public disclosure of Ellen Yerman, an employee of the Baltimore County Health Department. Mr. & Mrs. Yerman have filed for a zoning variance for an addition to their home.

This Resolution was unanimously approved by the County Council at their meeting on Tuesday, February 16, 1988 and is being forwarded to you for appropriate action.

Sincerely,
Thomas Typovich
Thomas Typovich
Secretary

TT:dp
Enclosure

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

February 4, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Robert J. Yerman, et ux
Location: W/end Millridge Dr. approx. 1420' N. of c/l Mathbrook Road
Item No.: 278
Zoning Agenda: Meeting of 2/9/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments at this time.

REMARKS: *Noted and approved*
Special Inspection Division

7/31

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 15, 1993

Ms. Judith M. Rabb
Rosenfelt & Woolfolk
10706 Reisterstown Road
Owings Mills, MD 21117

RE: Ralph's Auto Service
Limited Exemption 93-074-2

Dear Ms. Rabb:

Your request to remove the previous special exception from the above referenced property has been reviewed by this office. While it is clear that zoning case, 88-521-SPHA was restricted to the area now known and as indicated by you on your enclosed plat as Ralph's Auto Service, the previous special exception did encompass more land (see zoning case R-79-191-X {R-79-2X}).

As indicated by you today via our telephone conversation the area labeled by you as remainder of the "special exception" site is currently vacant but was considered vested and no time limit was placed on the development of the property (see letter dated July 8, 1981 signed by Mr. Dyer).

However, because this area was tied to the "Ralph's Area" as accessory or support use the special exception in place cannot be abandoned selectively in pieces, rather the entire special exception remains either in place or abandoned. Total abandonment could be accomplished without a special hearing.

If it is desired to split the special exception use a special hearing to reduce the area granted must be requested and approved prior to approval of this plan.

If you have any further questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Catherine A. Milton".

Catherine A. Milton
Planner I

CAM/jaw

cc: Zoning Files: 93-073-Z, 88-421-SPHA, R-79-191-X, R-79-2X

